

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
CIVIL NO. 05-1227 (JNE/JGL)

ANDRE AGEE,

Plaintiff,

ORDER

v.

M-F-C ST. CLOUD D.O.C.,  
BRUCE HEDGE, PATRICIA ORUD,  
KIM EBELING, COLLIN M. GAY,  
and ERIK SKON et al.,

Defendants.

The above-entitled matter came before the Court upon the Report and Recommendation of the Chief United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's Amended Application to Proceed Without Prepayment of Fees (Docket No. 4) is **DENIED**; and

Filed \_\_\_\_\_  
Richard D. Sletten, Clerk  
Judgment Entd. \_\_\_\_\_  
Deputy Clerk \_\_\_\_\_

2. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: August 25, 2005.

s/ Joan N. Ericksen

JOAN N. ERICKSEN

United States District Judge